

**U.S. District Court
District of New Jersey [LIVE] (Newark)
CIVIL DOCKET FOR CASE #: 2:07-cv-03376-WHW-CCC**

MURDOCK v. RC2 CORPORATION et al
Assigned to: Judge William H. Walls
Referred to: Magistrate Judge Claire C. Cecchi
Cause: 28:1332 Diversity—Product Liability

Date Filed: 07/20/2007
Date Terminated: 12/28/2007
Jury Demand: Plaintiff
Nature of Suit: 360 P.I.: Other
Jurisdiction: Federal Question

Plaintiff

DAVID MURDOCK

*Individually and as Father and Next Friend of
BEAU FARISH MURDOCK and ANABELLE
SAGE MURDOCK, Minor Children, on Behalf
of All Others Similarly Situated*

represented by **PETER S. PEARLMAN**
COHN, LIFLAND, PEARLMAN,
HERRMANN & KNOPF, LLP
PARK 80 PLAZA WEST ONE
SADDLE BROOK, NJ 07663
(201) 845-9600
Email: PSP@njlawfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

RC2 CORPORATION

represented by **DENNIS M. REZNICK**
EDWARDS, ANGELL, PALMER & DODGE,
LLP
ONE GIRALDA FARMS
MADISON, NJ 07940
(973) 520-2300
Email: dreznick@eapdlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CHARLES W. STOTTER
EDWARDS ANGELL PALMER & DODGE
LLP
ONE GIRALDA FARMS
MADISON, NJ 07940
(973) 520-2300
Email: cstotter@eapdlaw.com
ATTORNEY TO BE NOTICED

Defendant

LEARNING CURVE BRANDS, INC.
doing business as
RC2 BRANDS, INC.

represented by **DENNIS M. REZNICK**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CHARLES W. STOTTER

(See above for address)

*ATTORNEY TO BE NOTICED***Defendant****WAL-MART STORES, INC.**represented by **DENNIS M. REZNICK**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****TOYS "R" US, INC.**represented by **DENNIS M. REZNICK**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***CHARLES W. STOTTER**

(See above for address)

*ATTORNEY TO BE NOTICED***Defendant****LEARNING CURVE BRANDS, INC.**represented by **DENNIS M. REZNICK**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***CHARLES W. STOTTER**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/20/2007	<u>1</u>	COMPLAINT against RC2 CORPORATION, LEARNING CURVE BRANDS, INC., LEARNING CURVE BRANDS, INC. d/b/a/ RC2, WAL-MART STORES, INC., TOYS "R" US, INC. (Filing fee \$ 350 receipt number 1571922.) JURY DEMAND, filed by DAVID MURDOCK. (Attachments: # <u>1</u> RULE 11.2# <u>2</u> RULE 201.1#) Additional attachment(s) added on 7/24/2007 ARE Civ Cov Sht and Summons(dr,). Modified on 7/24/2007 (dr,). Modified on 7/24/2007 (dr,). (Entered: 07/24/2007)
07/24/2007	<u>2</u>	Summons Issued as to RC2 CORPORATION, LEARNING CURVE BRANDS , INC. d/b/a RC2, WAL-MART STORES, INC., TOYS "R" US, INC..Days Due – 20. mld to counsel 7/24/07(dr,) Modified on 7/24/2007 (dr,). Additional attachment(s) added on 7/24/2007 (dr,). (Entered: 07/24/2007)
07/24/2007	<u>3</u>	Summons Issued as to LEARNING CURVE BRANDS, INC..Days Due – 20. mld to counsel 7/24/07(dr,) Additional attachment(s) added on 7/24/2007 (dr,). (Entered: 07/24/2007)
07/26/2007	<u>4</u>	AFFIDAVIT of Service for Summons and Complaint served on Diane Martin on behalf of Toys R Us on July 25, 2007, filed by DAVID MURDOCK. (PEARLMAN, PETER) (Entered: 07/26/2007)
08/14/2007	<u>5</u>	Application and Proposed Order for Clerk's Order to extend time to answer as to Defendant Toys "R" Us, Inc.. Attorney DENNIS M. REZNICK and DENNIS M.

		REZNICK for TOYS "R" US, INC. added. (REZNICK, DENNIS) (Entered: 08/14/2007)
08/15/2007		CLERK'S TEXT ORDER – The Application for a Clerk's Order xtending Time to Answer – Doc. #5 subm. by D. REZNICK on 8/14/07 has been GRANTED. The answer due date has been set for 8/29/07. (DD,) (Entered: 08/15/2007)
08/17/2007	<u>6</u>	Application and Proposed Order for Clerk's Order to extend time to answer as to defendants RC2 Brands, Inc. and Learning Curve Brands, Inc.. Attorney DENNIS M. REZNICK and DENNIS M. REZNICK for RC2 CORPORATION and LEARNING CURVE BRANDS, INC. added. (REZNICK, DENNIS) (Entered: 08/17/2007)
08/20/2007		CLERK'S TEXT ORDER – The Application for a Clerk's Order Extending Time to Answer – Doc. 6 subm. by D. REZNICK on 8/17/07 has been GRANTED. The answer due date has been set for 9/5/07. (DD,) (Entered: 08/20/2007)
08/24/2007	<u>7</u>	CONSENT ORDER EXTENDING TIME for defts., RC2 CORP., LEARNING CURVE BRANDS, INC. & TOYS "R" US to answer until 9/20/07.. Signed by Judge Mark Falk on 8/24/07. (DD,) (Entered: 08/24/2007)
08/24/2007		Update Answer Due Deadline as to defts., RC2 CORP., LEARNING CURVE BRANDS, INC. & TOYS "R" US until 9/20/07. (DD,) (Entered: 08/24/2007)
08/27/2007	<u>8</u>	NOTICE from MDL Panel re revised schedule of actions and revised certificate of service (cs,) (Entered: 08/28/2007)
08/27/2007	<u>10</u>	MDL MOTION to Transfer Case to Northern District of Illinois by LEARNING CURVE BRANDS, INC., RC2 CORPORATION. (Attachments: # <u>1</u> Brief # <u>2</u> Oral Argument# <u>3</u> Ntc of Appearance# <u>4</u> Exhibit Volume (voluminous)# <u>5</u> Proof of Service)(cs,) (Entered: 08/28/2007)
08/28/2007	<u>9</u>	MDL JOINT MOTION to Transfer Case to Northern Dist of Illinois. (Attachments: # <u>1</u> Memorandum of Law# <u>2</u> Schedule of Actions# <u>3</u> Oral Argument# <u>4</u> Cover Letter# <u>5</u> Proof of Service)(cs,) (Entered: 08/28/2007)
08/31/2007	<u>11</u>	MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. by DAVID MURDOCK. (Attachments: # <u>1</u> Declaration of Peter S. Pearlman# <u>2</u> Continuation of Exhibit A to Declaration of Peter S. Pearlman# <u>3</u> Brief # <u>4</u> Certificate of Service # <u>5</u> Text of Proposed Order)(PEARLMAN, PETER) (Entered: 08/31/2007)
08/31/2007	<u>12</u>	REVISED CERTIFICATE OF SERVICE before the MDL Panel (Attachments: # <u>1</u> Cover Letter)(cs,) (Entered: 09/04/2007)
09/04/2007		Set Deadlines as to <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP.. Motion Hearing set for 9/24/2007 10:00 AM before Judge William H. Walls. (DD,) (Entered: 09/04/2007)
09/06/2007	<u>13</u>	MOTION for Leave to Appear Pro Hac Vice by DAVID MURDOCK. (Attachments: # <u>1</u> Certification Certification of Peter S. Pearlman in Support of Application to Allow Stuart A. Davidson and Jack Reise to Appear and Participate Pro Hac Vice# <u>2</u> Certification Certification of Jack Reise in Support of Motion to Appear and Participate Pro Hac Vice# <u>3</u> Certification Certification of Stuart A. Davidson in Support of Motion to Appear and Participate Pro Hac Vice# <u>4</u> Statement Statement as to Why No Brief is Necessary# <u>5</u> Text of Proposed Order Order Permitting Stuart A. Davidson and Jack Reise to Appear and Participate Pro Hac Vice# <u>6</u> Certificate of Service Certificate of

Service)(PEARLMAN, PETER) (Entered: 09/06/2007)

09/07/2007		Set Deadlines as to <u>13</u> MOTION for Leave to Appear Pro Hac Vice. [PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT] (DD,) (Entered: 09/07/2007)
09/10/2007	<u>14</u>	Cross MOTION to Stay re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP., Cross MOTION for Extension of Time to File Answer re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. by LEARNING CURVE BRANDS, INC., RC2 CORPORATION, TOYS "R" US, INC.. (Attachments: # <u>1</u> Certification of Dennis M. Reznick, Esq. in Opposition to Plaintiff's Motion for Appointment of Interim Lead Counsel and in Support of Cross-Motion for Stay of Proceedings and Extension of Time to Answer, with Exhibits A and B thereto, and certification of service# <u>2</u> Exhibits C through L to Reznick Certification# <u>3</u> Certification of Judy S. Okenfuss, Esq. in Opposition to Plaintiff's Motion for Appointment of Interim Lead Counsel and in Support of Cross-Motion for Stay of Proceedings and Extension of Time to Answer, with Exhibit A thereto and with certification of service# <u>4</u> Memorandum of Law in Opposition to Plaintiff's Motion for Appointment of Interim Lead Counsel and in Support of Cross-Motion for Stay of Proceedings and for Extension of Time to Answer, with certification of service# <u>5</u> Text of Proposed Order on Cross-Motion for Stay of Proceedings and for Extension of Time to Answer, with certification of service)(STOTTER, CHARLES) (Entered: 09/10/2007)
09/11/2007		Chambers will notify counsel if oral argument is necessary re: doc. 14 (mn,) (Entered: 09/11/2007)
09/12/2007	<u>15</u>	CERTIFICATION in Opposition re <u>14</u> Cross MOTION to Stay re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: LeCross MOTION for Extension of Time to File Answer re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. Cross MOTION to Stay re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: LeCross MOTION for Extension of Time to File Answer re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. Cross MOTION to Stay re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: LeCross MOTION for Extension of Time to File Answer re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman & Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: LeCross MOTION for Extension of Time to File Answer re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P.

23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed.Cross MOTION to Stay re 11 MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: LeCross MOTION for Extension of Time to File Answer re 11 MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed.Cross MOTION to Stay re 11 MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: LeCross MOTION for Extension of Time to File Answer re 11 MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed.Cross MOTION to Stay re 11 MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: LeCross MOTION for Extension of Time to File Answer re 11 MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. *Supplemental Certification of Dennis M. Reznick in Support of Cross Motion for Stay* filed by RC2 CORPORATION, LEARNING CURVE BRANDS, INC., TOYS "R" US, INC.. (REZNICK, DENNIS) (Entered: 09/12/2007)

09/17/2007	<u>16</u>	CONSENT ORDER granting pro hac vice admission as to JAMES L. PETERSON, ESQ. &JUDITH STAROBIN OKENFUSS, ESQ.. Signed by Judge Mark Falk on 9/14/07. (DD,) (Entered: 09/17/2007)
09/17/2007	<u>17</u>	REPLY to Response to Motion re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. filed by DAVID MURDOCK. (Attachments: # <u>1</u> Declaration with first part of Exhibit A# <u>2</u> Declaration with second part of Exhibit A and Exhibits B, C# <u>3</u> Certificate of Service)(PEARLMAN, PETER) (Entered: 09/17/2007)
09/17/2007	<u>18</u>	RESPONSE in Opposition re <u>14</u> Cross MOTION to Stay re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: LeCross MOTION for Extension of Time to File Answer re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed.Cross MOTION to Stay re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: LeCross MOTION for Extension of Time to File Answer re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed.Cross MOTION to Stay re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach Coughlin Stoia Geller Rudman &Robbins LLP. MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: LeCross MOTION for Extension of Time to File Answer re <u>11</u> MOTION to Appoint Counsel Interim Lead Counsel under Fed. R. Civ. P. 23(G) Attorney: Lerach

10/12/2007	<u>24</u>	Corporate Disclosure Statement by LEARNING CURVE BRANDS, INC.. (STOTTER, CHARLES) (Entered: 10/12/2007)
10/12/2007	<u>25</u>	Corporate Disclosure Statement by WAL-MART STORES, INC.. (STOTTER, CHARLES) (Entered: 10/12/2007)
10/12/2007	<u>26</u>	Corporate Disclosure Statement by TOYS "R" US, INC.. (STOTTER, CHARLES) (Entered: 10/12/2007)
10/14/2007		<u>21</u> MOTION TO DISMISS – [PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT] (DD,) (Entered: 10/14/2007)
10/19/2007	<u>27</u>	Letter from Peter S. Pearlman to the Honorable William H. Walls, USDJ re <u>21</u> MOTION to Dismiss <i>Class Action Complaint, returnable November 12, 2007, with certification of service.</i> (PEARLMAN, PETER) (Entered: 10/19/2007)
10/25/2007	<u>28</u>	ORDER establishing briefing schedule for defts' Motion to Dismiss. Signed by Judge William H. Walls on 10/24/07. (DD,) (Entered: 10/25/2007)
10/30/2007		Judge Claire C. Cecchi added. Judge Mark Falk no longer assigned to case. (nc,) (Entered: 10/30/2007)
12/13/2007	<u>29</u>	MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION to Dismiss <i>Class Action Complaint, returnable November 12, 2007, with certification of service</i> by DAVID MURDOCK. (Attachments: # <u>1</u> DECLARATION OF PETER S. PEARLMAN IN SUPPORT OF PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANTS' MOTION TO DISMISS# <u>2</u> STATEMENT AS TO WHY NO BRIEF IS NECESSARY PURSUANT TO L. CIV. R. 7.1(d)(1)# <u>3</u> Text of Proposed Order # <u>4</u> Certificate of Service)(PEARLMAN, PETER) (Entered: 12/13/2007)
12/14/2007		<u>29</u> MOTION FOR EXTENSION OF TIME TO REPLY [PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT] (DD,) (Entered: 12/14/2007)
12/17/2007	<u>30</u>	ORDER granting <u>29</u> Motion for Extension of Time to File Response/Reply re <u>29</u> MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION to Dismiss <i>Class Action Complaint, returnable November 12, 2007, with certification of service</i> MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION to Dismiss <i>Class Action Complaint, returnable November 12, 2007, with certification of service</i> MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION to Dismiss <i>Class Action Complaint, returnable November 12, 2007, with certification of service.</i> Signed by Judge William H. Walls on 12/17/07. (DD,) (Entered: 12/17/2007)
12/28/2007	<u>31</u>	Certified copy of MDL Order transferring case to District of NORTHER DIST. OF ILLINOIS, EASTERN DIVISION. (DD,) (Entered: 12/28/2007)
12/28/2007		***Civil Case Terminated. (DD,) (Entered: 12/28/2007)